

# Memorandum

To: Chair and Commissioners

Date: September 21, 2004

From: Diane C. Eidam

File: Book Item 4.5  
Action

**Ref.: ADOPTION OF THE FY 2004-05 ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM**

**Issue:** Under Streets and Highways Code Section 164.56(e) the Commission is charged with the responsibility of funding an annual Environmental Enhancement and Mitigation (EEM) Program as scored and prioritized by the State Resources Agency in accordance with the funding level provided in the State Budget Act (see attached project lists).

In Fiscal Year 2004-05 the State Budget has appropriated \$5 million for this program.

**Background:** The EEM Program is a statutorily mandated program typically funded at a minimum of \$10 million a year; however, the FY 2004-05 State Budget only contains a \$5 million appropriation for the EEM Program. Under EEM statutes, the Resources Agency is responsible for: developing and adopting procedures and criteria; evaluating grant proposals; submitting a list of ranked projects recommended for funding; and finding that the projects are eligible for funding under Article XIX of the State Constitution. The Resources Agency's procedures and criteria contain a detailed, quantitative scoring mechanism that is used to evaluate and rank projects in priority order by assigning point scores to each project. In accordance with the provisions of Section 187 and 188 of the Streets and Highway Code, an attempt is made to allocate 40% of the total amount recommended to projects in the northern counties and 60% of the total amount to projects in southern counties.

The EEM Program is designed to undertake "environmental enhancement and mitigation projects that are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction, or expansion of new transportation facilities". EEM projects must provide environmental enhancements and mitigation over and above what is otherwise called for under the California Environmental Quality Act (CEQA) of 1970 or the National Environmental Policy Act (NEPA) of 1969.

The general categories of EEM projects eligible for funding are:

Highway Landscape and Urban Forestry projects designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants. Projects may be within or outside the right-of-way of the related transportation facility. Projects within the right-of-way, however, are not intended to supplant or augment highway landscaping that would normally be funded by the responsible public agency. Any planting within public road rights-of-way shall be limited to trees only.

Resource Lands acquisition, restoration or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way, acquired for proposed

transportation improvements. Resource lands include natural areas, wetlands, forests, woodlands, meadows, streams, or other areas containing fish or wildlife habitat. Enhancement of resource lands may include the restoration of wildlife corridors.

- Roadside Recreational acquisition and/or development of roadside recreational opportunities, including roadside rests, scenic overlooks, trails, trailheads, sno-parks, and parks.

Any local, state or federal agency or nonprofit entity may apply for and receive grants under the EEM Program. The applicant is not required to be a transportation organization but must be able to demonstrate adequate charter or enabling authority to carry out the type of project proposed. Two or more entities may participate in a joint project.

For the FY 2004-05 EEM Program, the Resources Agency evaluated over \$15.6 million in projects, all competing for the \$5 million – the amount included in the FY 2004-05 State Budget for this program. From this list of projects, the Agency recommended to the Commission 31 projects in the north, and 30 projects in the south. The Resources Agency is recommending funding eight (8) projects in the north totaling \$2 million, and eleven (11) projects in the south totaling \$3 million. Six of these projects are in excess of the Agency's generally established limit of \$250,000. The Resources Agency provided individual written justifications for the six projects (justifications attached). Commission staff reviewed the justifications and concurs with the Agency's action.

Each agency that is being recommended for funding has provided evidence of environmental clearance.

The attached list includes all projects that the Resources Agency has recommended in priority order so that should a project within the available funding limits as set by the 2004-05 State Budget be unable to move forward and complete the project, the next project on the list can move up to take its funding place.

**Environmental Enhancement Mitigation Program**

**Fiscal Year 2004-05**

**Northern Counties**

APP ID #	APPLICANT	PROJECT NAME	TOT PROJ \$ VALUE	GRANT \$ AMOUNT	TOTAL SCORE	CAT RANK	CUMULATIVE \$ AMOUNT
<b>EEMP PROJECTS FOR IMMEDIATE FUNDING - PRIORITY ORDER</b>							
74	Ripon, City of	Stanislaus River Trail & Beautification	\$250,000	\$250,000	89.8	1	\$250,000
16	State Department of Parks and Recreation (104)	Mt. Tamalpais SP Coastal Trails Rehabilitation	\$406,000	\$246,000	83.5	1	\$496,000
19	State Department of Parks and Recreation	Peace Valley Trail, Sutter Buttes Project	\$244,200	\$220,000	83	2	\$716,000
18	Our City Forest	Trees for Capitol Light Rail Neighborhoods	\$219,200	\$184,200	82.7	3	\$900,200
4	Sacramento, City	Dry Creek Parkway Extension Acquisition Project	\$608,268	\$350,000	81.4	3	\$1,250,200
8	State Department of Parks and Recreation	Sand Hill Bluff Acquisition	\$8,600,000	\$500,000	81.4	3	\$1,750,200
17	San Rafael, City	Dominican/Black Canyon Neighborhood Landscaping	\$128,000	\$115,200	81.2	4	\$1,865,400
22	Folsom, City	Humbug-Willow Creek Trail - Lake Natoma Trail Connection Phase I	\$172,100	\$134,600	81	6	\$2,000,000
	<b>TOTALS</b>		<b>\$10,377,768</b>	<b>\$2,000,000</b>			
<b>EEMP FIRST INCREMENT STAND-BY PROJECTS - PRIORITY ORDER</b>							
22	Folsom, City	Humbug-Willow Creek Trail - Lake Natoma Trail Connection Phase I	\$104,000	\$94,000	81	6	\$94,000
10	Muir Heritage Land Trust	Fernandez Ranch Acquisition	\$4,549,100	\$250,000	80.4	5	\$344,000
13	State Department of Parks and Recreation (103)	Perched Dune Trail System Improvements	\$1,064,443	\$118,270	79.5	7	\$462,270
7	Sacramento, County	American River Parkway - Invasive Plant Mgmt. Proj. - Phase 2	\$1,201,322	\$250,000	79.4	6	\$712,270
14	Sierra Foothill Conservancy	Long Ranch Conservation Easement	\$1,522,500	\$325,000	78.9	8	\$1,037,270
5	Albany, City	Albany Urban Forestry Program	\$193,600	\$86,100	78.2	6	\$1,123,370
30	Auburn, City	Auburn School Park Preserve Interpretive Project	\$279,000	\$250,000	78	8	\$1,373,370
14	State Department of Parks and Recreation (106)	Bennet Street Grasslands ADA Trail Construction	\$275,000	\$250,000	76	10	\$1,623,370
15	State Department of Parks and Recreation (98)	Irrigation System & Landscape Development, Brannan Island SP	\$400,000	\$250,000	76	10	\$1,873,370
17	Mendocino Land Trust - First Increment	Ridgewood Ranch Conservation Area	\$1,386,454	\$126,630	75.9	12	\$2,000,000
	<b>TOTALS</b>		<b>\$10,975,419</b>	<b>\$2,000,000</b>			
<b>EEMP SECOND INCREMENT STAND-BY PROJECTS - PRIORITY ORDER</b>							
17	Mendocino Land Trust - First Increment	Ridgewood Ranch Conservation Area	\$1,386,454	\$721,024	75.9	12	\$721,024
10	Ripon, City	Stanislaus River Trail & Beautification, Phase II	\$550,000	\$250,000	74.7	8	\$971,024
3	Fresno Metropolitan Flood Control District	Basin "S" Landscaping	\$160,000	\$142,814	72.7	10	\$1,113,838
14	El Cerrito, City	El Cerrito Street Tree Planting	\$187,550	\$160,000	72.7	10	\$1,273,838
18	State Department of Parks and Recreation	Olompali State Historic Park - Trailhead Improvement	\$513,544	\$248,898	72.5	12	\$1,522,734
2	Clovis, City	Valley Nature Education Center, Phase I Park Improvements	\$279,750	\$250,000	72	14	\$1,772,734
28	Shasta, County	Hat Creek Park Access Improvement	\$97,000	\$73,000	72	14	\$1,845,734
2	Fresno Metropolitan Flood Control District	Basins "RR" Landscaping	\$360,000	\$250,000	71.7	13	\$2,095,734
12	Port of San Francisco	Illinois Street Multi-modal Bridge, Bicycle, Pedestrian, etc. Improve's.	\$2,750,000	\$250,000	70	18	\$2,345,734
5	Southwest Transportation Agency	Route 41 Roadside Park	\$468,541	\$250,000	66.5	19	\$2,595,734
9	State Department of Parks and Recreation	Pampas Grass & Scotchbroom Removal	\$310,632	\$245,600	66.4	17	\$2,841,334
4	Contra Costa County	Crockett Downtown Upgrade	\$269,000	\$269,000	66.2	14	\$3,110,334
24	Brentwood, City	Sand Creek Road East	\$342,027	\$249,891	66.2	14	\$3,360,225
	<b>TOTALS</b>		<b>\$7,674,498</b>	<b>\$3,360,225</b>			
<b>NOTES ABOUT SPECIFIED PROJECTS</b>							
	This project has already received funding from P12 that covers some of the same items as in the EEMP grant. However, Auburn has						
	encountered significant cost increases and may be using the EEMP funds to make up for the increased costs or to restore items that						
	would otherwise not be done because of cost increases. Either situation is acceptable to the EEM Program, provided Caltrans assures						
	that two different grant funds do not pay for the same item or cost twice.						

Environmental Enhancement Mitigation Program

Fiscal Year 2004-05

Southern Counties

APP ID			TOT PROJ	GRANT	TOTAL	CAT	CUMULATIVE
#	APPLICANT	PROJECT NAME	\$ VALUE	\$ AMOUNT	SCORE	RANK	\$ AMOUNT
21	San Luis Obispo, City	Ahearn Property Acquisition	\$2,700,000	\$250,000	84.9	1	\$250,000
3	Back Country Land Trust	Wright's Field MSCP Preserve Phase IV	\$2,124,000	\$300,000	84.4	2	\$550,000
15	Pasadena, City	Arroyo Seco Park Restoration & City-wide Street Tree Planting	\$623,705	\$247,329	83.7	1	\$797,329
6	Los Angeles, City	Rooted in Neighborhoods	\$300,000	\$250,000	83.2	2	\$1,047,329
114	American Land Conservancy	San Simeon State Park Enhancement Project	\$2,245,000	\$500,000	83	2	\$1,547,329
70	La Mesa, City	Briercrest Park Mitigation Project	\$455,056	\$189,600	83	2	\$1,736,929
117	State Department of Parks and Recreation	Los Liones Roadside Recreation & Restoration, Phase II	\$300,000	\$250,000	81.5	5	\$1,986,929
71	Visalia, City	Shade Visalia	\$257,000	\$209,000	79.7	5	\$2,195,929
12	Porterville, City	Tule River - Wetlands Acquisition Project - Phase III	\$282,000	\$250,000	79.4	6	\$2,445,929
25	North East Trees	San Jose Creek Greenway II	\$275,200	\$250,000	77	9	\$2,695,929
150	Encinitas, City	Batiquitos Bluffs - Pioneer Land, Inc., Property Acquisition	\$3,100,000	\$304,071	76.9	10	\$3,000,000
	<b>TOTALS</b>		<b>\$12,661,961</b>	<b>\$3,000,000</b>			
<b>EEMP FIRST INCREMENT STAND-BY PROJECTS - PRIORITY ORDER</b>							
150	Encinitas, City	Batiquitos Bluffs - Pioneer Land, Inc., Property Acquisition	\$3,100,000	\$195,929	76.9	10	\$195,929
21	Bakersfield, City	Rio Vista Park--Water Recharge/Recreational Facility Buffer	\$189,000	\$189,000	75.7	7	\$384,929
8	Hollywood Beautification Team	Native Habitat Restoration of Public Road R/Ways in Los Angeles	\$261,955	\$148,205	74.7	8	\$533,134
1	Inyo County Water Department	Lower Owens River Saltoedard Control	\$1,500,000	\$250,000	73.4	13	\$783,134
3	San Diego, County	Valley Center Roadside Recreational Footpath	\$393,000	\$250,000	72.5	12	\$1,033,134
19	Los Angeles Conservation Corps	Grove at Woodland Farm	\$104,096	\$84,096	72.2	12	\$1,117,230
9	Santa Barbara County Planning & Development	Isla Vista Blufftop Parcel Acquisition	\$400,000	\$250,000	71	16	\$1,367,230
20	Los Angeles County Dept. of Public Works	Arroyo Seco Bicycle Trail Project - Phase I				17	\$1,617,230
16	San Dieguito River Park Joint Powers	Highland Valley (Scharff) Acquisition				14	\$1,867,230
11	San Diego River Park - Lakeside Conservancy	River Way Trail				19	\$2,017,230
6	Santa Barbara, City	Goleta Slough Tidal Restoration Demonstration Project					
22	Friends of the Santa Clara River	San Gabriel - Sierra Pelona Linkage Acquisition Project	\$292,000	\$232,000	67.4		\$2,499,230
23	Bakersfield, City	Ming Avenue Median Enhancement	\$740,800	\$150,000	64.7	16	\$2,649,230
2	Palmdale, City	Una Lake Nature Preserve	\$1,100,000	\$350,770	58.9	18	\$3,000,000
	<b>TOTALS</b>		<b>\$11,232,931</b>	<b>\$3,000,000</b>			
<b>EEMP SECOND INCREMENT STAND-BY PROJECTS - PRIORITY ORDER</b>							
2	Palmdale, City	Una Lake Nature Preserve	\$1,100,000	\$484,230	58.9	18	\$484,230
18	North East Trees	Devil's Dip Creek Restoration	\$456,000	\$250,000	51.4	19	\$734,230
20	San Diego, County Parks & Recreation	Barnett Ranch Restoration Project	\$300,000	\$250,000	51.4	19	\$984,230
13	Los Angeles County, Dept of Public Works	Rosemead Blvd Landscape	\$3,700,000	\$250,000	39.2	17	\$1,234,230
12	Los Angeles County, Dept of Public Works	Vermont Ave Landscape	\$1,520,000	\$250,000	33.7	18	\$1,484,230
	<b>TOTALS</b>		<b>\$7,076,000</b>	<b>\$1,484,230</b>			
Brea applied for a P12 grant but was unsuccessful because of no willing seller. Caltrans and CTC need to make sure that Brea secures a willing seller within 6 months of awarding a contract for the grant. If no willing seller, then the EEMP grant is revoked and applied to another applicant. See attached notes.							
Caltrans should query Bakersfield carefully about what landscaping the EEMP funds will pay for v.s. those that might be paid for by a DWR grant for landscaping and irrigation in the vicinity. See attached notes.							
This project is related to a P12 grant for Artesian Park Acquisition. Caltrans needs to make sure there is no duplication of funding. See attached notes.							



## **Environmental Enhancement and Mitigation Program 2004-05 Grant Cycle**

### **Recommended Grant Awards Exceeding \$250,000**

The Environmental Enhancement and Mitigation Program (EEMP) Procedures and Criteria provide that grants exceeding \$250,000 may be awarded for land acquisitions based on unique or unusual factors including but not limited to: maximum benefits of a one-time or limited opportunity, acquisitions of considerable size, substantial leveraging of funds, or significantly high statewide value. The following projects are land acquisition projects for which the Resources Agency recommends grants exceeding \$250,000.

#### **NORTHERN CALIFORNIA COUNTY RECOMMENDATIONS—First Priority Projects**

##### **1. Dry Creek Parkway Extension Acquisition, \$350,000, EEM Project L-4**

The City of Sacramento, Dept of Parks and Recreation proposes to purchase the 124.5 acre Cub Coyle Property in North Sacramento to connect the Ueda Parkway and Hansen Ranch to the Dry Creek Parkway. This acquisition will result in a 70-mile parkway loop including the Ueda Parkway, Dry Creek Parkway and American River Parkway. The land will be preserved as open space and will safeguard existing wetland and floodway uses. This acquisition is the sole parcel within a large landmass that connects the Ueda Parkway to the Dry Creek Parkway that is not owned by a public agency—it will complete connectivity and will result in a total of 408.7 acres of contiguous parkway and open space.

While the EEMP funds constitute more than 50 percent of the acquisition of \$608,000, the quality of the purchase for completing an entire project is worth the expenditure.

##### **2. Sand Hill Bluff Acquisition, \$500,000, EEM Project L-8**

The State Dept of Parks and Recreation proposes to acquire the 147-acre Sand Hill Bluff property in Santa Cruz coast. This acquisition permanently protects important wetland resources and scenic views along SR1 and provides additional mitigation for Wilder Ranch Bike Path construction project.

This purchase allows \$500,000 of EEMP funds to leverage \$8,100,000 of other funds to complete the purchase.

#### **NORTHERN CALIFORNIA COUNTY RECOMMENDATIONS—Second Priority Projects**

##### **3. Long Ranch Conservation Easement, \$325,000, EEM Project L-14**

The Sierra Foothill Conservancy proposes to acquire a conservation easement on the 2,941-acre Long Ranch in Mariposa County to protect 3,000 acres of oak woodlands

and grasslands and scenic view shed along SR140. The land may soon come under pressure to subdivide because of proposed UC Merced campus 36 miles to the west.

This purchase allows \$325,000 of EEMP funds to leverage \$1,200,000 of other funds to complete the purchase.

**4. Ridgewood Ranch Conservation Area, \$848,654, EEM Project L-17**

The Mendocino Land Trust proposes to acquire a conservation easement on 424 acres of oak woods, creeks, riparian areas, and forestland on Ridgewood Ranch in Willits, CA along 4.3 miles of SR101. This acquisition is part of a planned 4,636-acre Ridgewood Ranch Conservation Area.

The amount requested is very large but not unprecedented since EEMP funds for acquisitions have amounted to \$1,000,000 in the first years of the program. The \$848,654 is more than half of the total \$1.4 million cost of the entire 4.3-mile easement. However, it is a small part of the entire 4,636-acre project.

**SOUTHERN CALIFORNIA COUNTY RECOMMENDATIONS—First Priority Projects**

**1. Wright's Field MSCP Preserve, Phase IV, \$300,000, EEM Project L-3**

The Back Country Land Trust and the County of San Diego, Department of Parks and Recreation propose to acquire 142 acres of Wright's Field in Alpine, CA to complete Phase IV of a 5-phase project. With the Wright's Field acquisition, only 40 more acres remain to be acquired for the entire project. The 142 acres in this proposal will bring a total of 372 acres under the Multiple Species Conservation Plan. The land is under option to the Back Country Land Trust.

The amount requested will leverage a total of more than \$1,800,000 in additional funds.

**2. San Simeon State Park Enhancement Project, \$500,000, EEM Project R-4**

The American Land Conservancy proposes to acquire 175 acres contiguous to San Simeon State Park Campground Unit 487 and convey it at no cost to the State Department of Parks and Recreation. The additional property will provide increased camping, expanded day use areas, and provide tour bus staging and parking away from SRr1 view shed.

The amount requested will leverage another \$1,750,000 in funds to complete the purchase.

**3. Tonner Canyon Purchase, \$500,000, EEM Project L-5**

The City of Brea proposes to acquire 527 acres at mouth of Tonner Canyon to preserve open space and biodiversity of one La Basin's remaining natural streams, meadows and forests. It will provide core habitat for wildlife and endangered species; secure wildlife passageway under SR57; provide missing linkage in regional wildlife corridor; provide regional recreation area.

One issue with this project is that a prior proposal to purchase this same property with P12 funds failed because the expected "willing seller" changed his mind. The City of Brea asserts that if it can secure funding for the purchase, then they can enter into negotiations with the owner and obtain a willing seller. The EEMP recommends that this project be approved subject to the City of Brea actually negotiating the purchase within 6 months of receiving authorization from the California Transportation Commission to use EEMP funds for the purchase. Failure of the City of Brea to meet this condition would result in the \$500,000 being re-directed to another EEM grant applicant.

The amount requested will leverage \$3,600,000 of other funds for the entire purchase.

**SOUTHERN CALIFORNIA COUNTY RECOMMENDATIONS—Second Priority Projects**

**4. Claremont Hills Acquisition, \$325,000, EEM Project L-13**

The City of Claremont proposes to acquire a 104-acre stretch of mixed coastal sage chaparral scrub and oak woodlands in foothills of San Gabriel Mountains. This acquisition will become part of the 1,220-acre Claremont Hills Wilderness Park and contribute to creation of major wildlife corridor in North Claremont area.

The amount requested constitutes nearly 3/5 of the total project cost of \$520,000, so it does not leverage as much additional money as other high-cost acquisitions. However, the parcel to be purchased is critical to the Claremont Hills Wilderness Park and is threatened by urban development if not purchased.

**5. Batiquitos Bluffs Acquisition, \$500,000, EEM Project L-15**

The City of Encinitas proposes to acquire 51.7 acres of privately owned land within the Multiple Habitat Conservation Program (MHCP) Focused Planning Area to preserve riparian and upland habitat contiguous to Batiquitos Lagoon and another 340 acres of existing biological open space within the City of Encinitas.

The amount requested will leverage an additional \$2,600,000 to complete the acquisition.